

10/01/2020

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
Gannett Co., Inc.

DEFENDANTS

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
John Thorne (Kellogg, Hansen, Todd, Figel & Frederick P.L.L.C.)
1615 M Street, NW, Suite 400, Washington, DC 20036
(202) 326-7900

ATTORNEYS (IF KNOWN)

**CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE;
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)**

Monopolization of advertising technology markets and unlawful restraint of trade under Sections 1 and 2 of the Sherman Act (15 U.S.C. § 1-2); deceptive practices under N.Y. Gen. Bus. Law § 349-50; fraud under N.Y. common law

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date _____ & Case No. _____

Judge Previously Assigned

If yes, was this case Vol Invol Dismissed No Yes If yes, give date & Case No

If yes, was this case Vol Invol Dismissed No Yes If yes, give date & Case No

13. THIS IS AN INTERVIEWER INFORMATION CARD.

No Yes

NATURE OF SUIT

| TORTS | | | ACTIONS UNDER STATUTES | | |
|--|---|---|--|---|--|
| CONTRACT | PERSONAL INJURY | PERSONAL INJURY | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
| [] 110 INSURANCE | [] 310 AIRPLANE | [] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY | [] 625 DRUG RELATED SEIZURE OF PROPERTY | [] 422 APPEAL 28 USC 158 | [] 375 FALSE CLAIMS |
| [] 120 MARINE | [] 315 AIRPLANE PRODUCT LIABILITY | [] 365 PERSONAL INJURY | 21 USC 881 | [] 423 WITHDRAWAL | [] 376 QUI TAM |
| [] 130 MILLER ACT | [] 320 ASSAULT, LIBEL & SLANDER | [] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY | [] 690 OTHER | 28 USC 157 | [] 400 STATE REAPPORTIONMENT |
| [] 140 NEGOTIABLE INSTRUMENT | [] 330 FEDERAL EMPLOYERS' LIABILITY | | | | [x] 410 ANTITRUST |
| [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT | [] 340 MARINE PRODUCT LIABILITY | PERSONAL PROPERTY | [] 820 COPYRIGHTS | [] 880 DEFEND TRADE SECRETS ACT | [] 430 BANKS & BANKING |
| [] 151 MEDICARE ACT | [] 345 MARINE PRODUCT LIABILITY | [] 370 OTHER FRAUD | [] 830 PATENT | [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION | [] 450 COMMERCE |
| [] 152 RECOVERY OF DEFOLTED STUDENT LOANS (EXCL VETERANS) | [] 350 MOTOR VEHICLE PRODUCT LIABILITY | [] 371 TRUTH IN LENDING | [] 840 TRADEMARK | | [] 460 DEPORTATION |
| [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS | [] 355 MOTOR VEHICLE PRODUCT LIABILITY | [] 360 OTHER PERSONAL INJURY | | | [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO) |
| [] 160 STOCKHOLDERS SUITS | [] 362 PERSONAL INJURY - MED MALPRACTICE | [] 380 OTHER PERSONAL PROPERTY DAMAGE | LABOR | [] 861 HIA (1395ff) | [] 480 CONSUMER CREDIT |
| [] 190 OTHER CONTRACT CONTRACT | | [] 385 PROPERTY DAMAGE | [] 710 FAIR LABOR STANDARDS ACT | [] 862 BLACK LUNG (923) | [] 485 TELEPHONE CONSUMER PROTECTION ACT |
| [] 195 PRODUCT LIABILITY | | | [] 720 LABOR/MGMT RELATIONS | [] 863 DIWC/DIWW (405(g)) | [] 490 CABLE/SATELLITE TV |
| [] 196 FRANCHISE | | | [] 740 RAILWAY LABOR ACT | [] 864 SSID TITLE XVI | [] 850 SECURITIES/ COMMODITIES/ EXCHANGE |
| | | ACTIONS UNDER STATUTES | [] 751 FAMILY MEDICAL LEAVE ACT (FMLA) | [] 865 RSI (405(g)) | [] 890 OTHER STATUTORY ACTIONS |
| | | CIVIL RIGHTS | [] 790 OTHER LABOR LITIGATION | | [] 891 AGRICULTURAL ACTS |
| | | [] 440 OTHER CIVIL RIGHTS (Non-Prisoner) | [] 791 IRS-THIRD PARTY 26 USC 7609 | | [] 893 ENVIRONMENTAL MATTERS |
| | | | | | [] 895 FREEDOM OF INFORMATION ACT |
| | | | | | [] 896 ARBITRATION |
| | | | | | [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION |
| | | | | | [] 950 CONSTITUTIONALITY OF STATE STATUTES |
| REAL PROPERTY | | | IMMIGRATION | | |
| [] 210 LAND CONDEMNATION | [] 441 VOTING | | [] 462 NATURALIZATION APPLICATION | | |
| [] 220 FORECLOSURE | [] 442 EMPLOYMENT | | [] 465 OTHER IMMIGRATION ACTIONS | | |
| [] 230 RENT LEASE & EJECTION | [] 443 HOUSING/ ACCOMMODATIONS | [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT | [] 550 CIVIL RIGHTS | | |
| [] 240 TORTS TO LAND | | [] 446 AMERICANS WITH DISABILITIES - OTHER | [] 555 PRISON CONDITION | | |
| [] 245 TORT PRODUCT LIABILITY | | [] 448 EDUCATION | [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT | | |
| [] 290 ALL OTHER REAL PROPERTY | | | | | |

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND OTHER JUDGE P. Kevin Castel DOCKET NUMBER 1:21-md-03010

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

| | | | | | | | |
|--------------------------|-----------|-----------|---|---------------------|---|-----------|-----------|
| CITIZEN OF THIS STATE | PTF [] 1 | DEF [] 1 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | PTF DEF [] 3 [] 3 | INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE | PTF [] 5 | DEF [] 5 |
| CITIZEN OF ANOTHER STATE | [] 2 | [] 2 | INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE | [] 4 [] 4 | FOREIGN NATION | [] 6 | [] 6 |

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Gannett Co., Inc.

7950 Jones Branch Drive, McLean, VA 22107

Within U.S. but outside home state

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Google LLC and Alphabet Inc.:

1600 Amphitheatre Parkway, Mountain View, CA 94043

Within U.S. but outside home state

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 06/21/2023

John Thorne

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

 NO[] YES (DATE ADMITTED Mo. _____ Yr. _____)
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)